

estate in the hands of his or her guardian shall be sufficient to support him or her and family, if he or she has any, is mischievously inclined, and that his or her going at large is dangerous to the community, it shall be lawful for said justice to issue his warrant requiring the sheriff to bring him or her before two justices of the peace within ten days, in order that the complaint may be duly examined, and the sheriff when he executes the warrant is to notify the guardian.

SEC. 26. If the said justices on the return of the warrant are satisfied that the facts stated in the complaint are true, it shall be their duty to issue process to the sheriff, commanding him to take such insane person and convey him or her to the Asylum of North Carolina, and there to deliver him or her to the superintendent thereof for safe keeping: *Provided, however,* that the mischievous disposition of such insane person shall have been proved by at least two competent witnesses, who have been acquainted with him or her for more than twelve months.

When and how
conveyed to asy-
lum.

Proviso.

SEC. 27. If the insane person mentioned in the preceding section be sent to the asylum, a copy of the proceedings shall be returned by the justice to the clerk of the superior court of his county, who shall have power, from time to time, to make such orders or decrees concerning the payment of the expenses of sending him or her to said asylum, or sending him or her back, should he or she be discharged therefrom, as to said clerk shall seem just and reasonable under the circumstances of the case.

Justices to return
proceedings to su-
perior court clerk.

Clerk to make
orders concerning
expenses.

SEC. 28. Any judge of the superior or supreme courts may make an order for the discharge from the Asylum of any person confined there under this act, if the superintendent thereof shall certify to him in writing that he is well satisfied that such person is not mischievous, and would not be dangerous to the community, if discharged: *Provided,* that the signature to the certificate be duly acknowledged or proved before the clerk of the superior court for Wake county, and shall be certified by him

When judge to
order discharge of
insane person from
asylum.

Proviso.